UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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UNITED STATES OF AMERICA, Plaintiff, v. **1.) Efrain AGUILAR-Quiroz,** **2.) Victorino QUIROZ-Aguilar** Defendant(s)	Magistrate Case No. '08 MJ 1275 COMPLAINT FOR VIOLATION OF: Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii) Transportation of Illegal Aliens

The undersigned complainant, being duly sworn, states:

On or about **April 22, 2008,** within the Southern District of California, defendants **Efrain AGUILAR-Quiroz, and Victorino QUIROZ-Aguilar** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Ricardo Antonio SALINAS-Bernal, J Ramiro ESQUIVEL-Molina, and Juan Antonio GOMEZ-Guevara** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24th** DAY OF **APRIL 2008**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
1.) Efrain AGUILAR-Quiroz
2.) Victorino QUIROZ-Aguilar

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Ricardo Antonio SALINAS-Bernal, J Ramiro ESQUIVEL-Molina, and Juan Antonio GOMEZ-Guevara** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On Tuesday, April 22, 2008, Agents assigned to the East County Abatement Team (ECAT) were performing anti-smuggling operations on Interstate 8 near Alpine, California. This area is located in a remote mountainous region approximately 8 miles east of the Tecate, California Port of Entry and 12 miles north of the United States-Mexico International Border.

At approximately 9:15 p.m., Border Patrol Agents assigned to the East County Abatement Team observed a white Ford Expedition, bearing California License Plates, traveling westbound on Interstate 8 at the East Willows Road Exit in Alpine, California. Border Patrol Agent B. Blanchard, assigned to ECAT was operating a marked Border Patrol Agency sedan, equipped with a full set of lights and audible siren. The Expedition appeared to be heavily laden as it bounced excessively over bumps and swayed through the curves. Given the Expedition's heavy cargo capacity, it was highly unlikely that the Expedition would be swaying and bouncing while maneuvering around the mild turns on Interstate 8. Agent Blanchard also observed numerous silhouettes of heads against the background light created by the headlights of eastbound traffic on the Interstate. Agent Blanchard requested a registration and stolen vehicle check on the Expedition via Border Patrol Dispatch. The vehicle came back registered to defendant Victorino QUIROZ-Aguilar, from San Bernardino, California.

Border Patrol Agent H. Cuevas, assigned to ECAT and driving an unmarked agency vehicle drove past the Expedition in an attempt to acquire a look inside. Agent Cuevas was able to view inside the Expedition and observed several individuals in the backseat.

At approximately 9:40 p.m., Agent Blanchard attempted a vehicle stop on the Expedition on Interstate 8, east of the Dunbar Lane Exit in Lakeside, California. The Expedition failed to yield and continued traveling westbound on Interstate 8 at approximately 80 miles per hour. As the Expedition was almost past the Dunbar Lane Exit, the driver of the Expedition abruptly exited the Interstate in an attempt to elude Agent Blanchard. Approximately one hundred yards north of the Interstate off ramp, the Expedition came to a stop in the middle of the northbound lane blocking traffic in an attempt to flee the vehicle on foot. However, the occupants of the Expedition were unable to flee as they were surrounded by Agents. Agent Blanchard removed the driver of the Expedition later identified as **Defendant #1 Efrain AGUILAR-Quiroz**, while Border Patrol Agent Francisco Rivera removed the front seat passenger later identified as **Defendant #2 Victorino QUIROZ-Aguilar**. The Agents identified themselves as United States Border Patrol Agents and questioned the occupants of the Expedition as to their citizenships. All nine occupants of the Expedition, including the defendants admitted to being citizens and nationals of Mexico without any immigration documentation that would allow them to enter or remain in the United States legally. The seven smuggled aliens were placed under arrest, while the driver and front seat passenger were placed under arrest for 8 USC 1324 Alien Smuggling

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CONTINUATION OF COMPLAINT:
1.) Efrain AGUILAR-Quiroz
2.) Victorino QUIROZ-Aguilar

DEFENDANT STATEMENT: Efrain AGUILAR-Quiroz

AGUILAR was advised of his Miranda Rights. The defendant stated that he understood his rights and was willing to speak without an attorney present. AGUILAR claims that he just wanted to enter into The United States to look for work in San Bernardino, California, where he occasionally resides.

According to AGUILAR, with the aid of two foot guides he crossed the U.S./Mexico International Border three days ago at approximately 3:00 a.m., along with his uncle, Defendant #2 and their mutual friend. AGUILAR claims that he and the group walked almost non-stop for the duration of the trip before coming to a stop near a highway. From there, they were picked up and transported by an unidentified vehicle to a friend's ranch near the area somewhere along Highway 79. AGUILAR disclosed that once they arrived at the ranch, his uncle Victorino arranged for his 1998 white Ford Expedition to be brought to the ranch by an unidentified male.

AGUILAR then claimed that the smuggling fee for each of them was $1,800.00. AGUILAR also freely admitted to being aware of the fact that all the passengers in the vehicle were undocumented aliens.

DEFENDANT STATEMENT: Victorino QUIROZ-Aguilar

QUIROZ was informed of his Miranda Rights. QUIROZ stated that he understood his rights and was willing to speak without an attorney present. QUIROZ declared that he just wanted to enter into The United States to look for work in San Bernardino, California, where he occasionally resides when he successfully crosses into the country illegally.

QUIROZ, with the aid of a foot guide and for a fee of $1,600.00, crossed the U.S./Mexico International Border yesterday at approximately 1:00 p.m., with his friend and several other undocumented aliens. According to QUIROZ, the first group that he crossed with was dispersed when Border Patrol Agents attempted to apprehend them somewhere in the mountains shortly after crossing. QUIROZ fled and became lost, and walked for hours until he encountered another group. QUIROZ and the group were then led to a ranch in an unknown location where they were dropped off by the foot guide.

QUIROZ stated that since his nephew was unfamiliar with the area, the ranch owner gave him directions to a local casino (The Golden Acorn Casino) and offered to meet with him there in order to guide him back to his ranch. Once his nephew and the ranch owner arrived at the ranch, QUIROZ and the rest of the smuggled group of undocumented aliens boarded the vehicle and began traveling north on Interstate 8 towards San Bernardino, with directions once again provided by the ranch owner.

QUIROZ freely admitted to being aware of the fact that all the occupants of the vehicle including his nephew, Efrain AGUILAR-Quiroz, were undocumented aliens.

MATERIAL WITNESSES STATEMENTS:

The statements of material witnesses **Ricardo Antonio SALINAS-Bernal, J Ramiro ESQUIVEL-Molina, and Juan Antonio GOMEZ-Guevara** agree in summary that they are citizens and nationals of Mexico without any immigration documents allowing them to be in the United States legally. They stated that they made arrangements in Mexico to be smuggled into the United States and were to pay between $1,300.00 to $1,800.00 U.S. dollars.